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SUBJECT: COURT SENTENCES FIVE FOR TERROR RELATED CRIMES

REF: NOUAKCHOTT 592

Classified By: CDA Steven Koutsis for Reasons 1.5 (b) and (d)

¶1. (U) The trial of the remaining 14 detainees accused of belonging to "Al Qaeda in the Lands of the Islamic Maghreb," formerly the Groupe Salafist pour la Predication et le Combat(GSPC) (reftel), concluded on July 31 with five convictions and nine acquittals.

¶2. (U) The Criminal Court condemned Sid Taher Ould Mohamed Abdel Jelil Ould Biye to five years in prison for collaboration with the GSPC in the June 2005 Limgheity attack (el-Mreiti). Teyab Ould Saleck and Ely Cheikh Ould Khoumane were sentenced to three years in prison for participating in the Limgheity attack. Moustapha Ould Kader and Mohamed Lemine Ould Jdoud were given parole with two years probation for forgery. The other nine defendants were acquitted.

¶3. (U) Defense lawyers maintain that the parole sentences are "harsh for those (two) who have been convicted (for forgery) given that the main points of accusation were rejected," but have expressed satisfaction that the sentences enacted veered significantly from the prosecution's call for the death penalty.

¶4. (U) Just one day after the sentences were announced, the Prosecution filed an appeal, claiming that the sentences were too "mild" and not commensurate with the facts or gravity of the case. The defense has also indicated plans to appeal the verdict.

¶5. (SBU) Public reaction has been muted so far as the verdict is seen as further demonstration of the newly-found separation between the judicial system and the executive branch of the government. Post is not aware of any demonstrations or calls for demonstrations by groups opposed to the verdicts. We will continue to monitor the situation.

¶6. (C) Comment: The results are disappointing given the nature of the accusations, but the conviction of three for terrorism charges and two others of terrorist-related activities does strengthen the government's argument that the detainees were more than political prisoners. The main reason for the light sentences is that the 14 were arrested in a totalitarian system that relied on executive branch support rather than hard evidence to make convictions. The authorities who made the arrests did not supply the prosecution with sufficient evidence, and as a result the case was not properly prepared for a trial carried out according to the rule of law. Partners need to look for ways to enhance police and state legal capacity. End Comment.
Koutsis